

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MICHAEL L. FAVORS,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 09-1324
)	Judge McVerry
JEFFREY BEARD,)	Magistrate Judge Bissoon
)	
Defendant.)	

MEMORANDUM ORDER

Michael Favors's civil rights complaint was received on September 29, 2009, and was referred to United States Magistrate Judge Cathy Bissoon for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.C and 72.D of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on November 25, 2009, recommended that the case be dismissed without prejudice to Plaintiff's right to re-file this action within the applicable statute of limitations period by paying the full filing fee of \$350.00, or moving to proceed *in forma pauperis*. Service was made upon the Plaintiff by First Class United States Mail at his place of incarceration. Objections were due on or before December 9, 2009. No objections have been filed.

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 30th day of December, 2009,

IT IS HEREBY ORDERED that the Complaint is DISMISSED without prejudice to Plaintiff's right to re-file this action within the applicable statute of limitations period by paying the full filing fee of \$350.00, or moving to proceed *in forma pauperis*. The Report and Recommendation of Magistrate Judge Bissoon (Doc. 4), dated November 25, 2009, is adopted as the opinion of the court. The Clerk is directed to mark the case CLOSED.

s/Terrence F. McVerry
Terrence F. McVerry
U.S. District Court Judge

cc:
MICHAEL L. FAVORS
2114-2009
Westmoreland County Prison
3000 South Grande Boulevard
Greensburg, PA 15601